In the High Court for the States of Punjab and Haryana, at Chandigarh.

C.R..No. 1410 of 2007 (O&M)
Decided on April 19,2007

Priya Poonia -- Petitioner.

vs.

Neelam --- Respondent.

Present: Mr. D.S.Sharma,Advocate, for Mr.Vikram Singh,Advocate,for the petitioner.

Pritam Pal,J:(Oral)

This Civil Revision by husband, under Article 227 of the Constitution of India, is directed against order dated February 14,2007, whereby an application filed under Section 14 of the Hindu Marrriage Act, 1956 (for short,'the Act'), for permission to file a divorce petition before expiry of one year of the marriage, was dismissed.

Marriage between the parties was solemnized on May 30,2006 and the divorce petition was filed by the husband on September 25,2006 i.e. just after about four and half months of the marriage,on the ground of cruelty. That application was dismissed by the learned District Judge, Jind, with the observation that case of the petitioner was not that of any exceptional hardship. At the same time, the main petition for divorce was also dismissed . Admittedly, the application moved under Section 14 of the Act and also divorce petition filed under Section 13 of the Act, were decided ex-parte, as no notice was served upon the respondent/wife.

In view of the observations made by learned trial Court, no interference is called for in the impugned order. Hence, this Civil

Revision is hereby dismissed in *limine*. However, it is observed that the petitioner shall be entitled to file a fresh divorce petition after expiry of one years of the marriage between the parties on the ground of cruelty and also the grounds taken in the earlier petition, which has already been dismissed vide the impugned order.

April 19,2007 (Pritam Pal)
RR Judge